



UNITED STATES PATENT AND TRADEMARK OFFICE

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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/841,321	04/23/2001	Dan W. Urry	BERL-020/04US

CONFIRMATION NO. 6851

23419
COOLEY GODWARD, LLP
3000 EL CAMINO REAL
5 PALO ALTO SQUARE
PALO ALTO, CA 94306

FORMALITIES LETTER



OC00000006144576

Date Mailed: 06/04/2001

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The oath or declaration is unsigned.
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

6B A/C #7
PATENT**Attorney Docket No. BERL-020/04US**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 on June 13, 2001.



By:

Vikki L. Athen

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE RECEIVED

In re application of Dan W. URRY

JUN 21 2001

Serial No.:	09/841,321	Examiner:	Not Yet Assigned
Filed:	April 23, 2001	Office of Petitions Deputy A/C Patents	Art Unit:
For:	INJECTABLE IMPLANTS FOR TISSUE AUGMENTATION AND RESTORATION		

Commissioner for Patents
OFFICE OF PETITIONS
Washington, D.C. 20231

RESPONSE TO NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

In response to the Notice of Incomplete Nonprovisional Application under 37 C.F.R. § 1.53(e) mailed June 4, 2001, enclosed are:

- copy of the Notice of Incomplete Nonprovisional Application
- executed Declaration
- Power to Prosecute
- Assertion of Entitlement to Small Entity Status
- A paper copy of the "Sequence Listing"
- A copy of the "Sequence Listing" in computer readable form on a:
 - 3 1/2" floppy disk

The content of the copy in computer readable form is identical to the content of the paper copy of the "Sequence Listing."
- 6 sheets of Formal Drawings (*Exhibit A*)
- Petition for Filing Date and Response to Notice of Incomplete Nonprovisional Application
- Return postcard

No copy of the Raw Sequence Listing was provided to Applicant and therefore no copy is enclosed.

01/18/2002 NPROSASD 00000017 033117 09841321

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Attorney [REDACTED] No. BERL-020/04US
Serial No. 09/841,321
Page 2

and the payment of the following fee(s):

Petition fee \$130.00

Total Fee due: \$130.00.

Check No. 14690 in the amount of \$130.00 for the total fee is attached.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 03-3117.

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Respectfully submitted,
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By:

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UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND

1 Date of Request: <u>8/7/01</u>	2 Serial/Patent # <u>09/841,321</u>
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3 Please refund the following fee(s):	4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
Filing			\$
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Duplicate Payment	,	03-3117	
X No Fee Due (Explanation): <i>Filing Date Grant</i>			

11 REFUND REQUESTED BY:

TYPED/PRINTED NAME: Nancy Johnson

TITLE: Petitions Attorney

SIGNATURE: Nancy Johnson

PHONE: 703-305-0309

OFFICE: Petitions, 4700

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APPROVED: Alicia Kelley

DATE: 9-12-01

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

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